

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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CHRISTIAN PAUL ENZO KLEIN,

Plaintiff,

-v-

METROPOLITAN TRANSIT AUTHORITY,  
*et al.*,

Defendants.  
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**ORDER FOR CONFERENCE  
PURSUANT TO RULE 16**

21-CV-7118 (JPC) (JLC)

**JAMES L. COTT, United States Magistrate Judge.**

The Court shall hold an initial case management conference in accordance with Fed. R. Civ. P. 16(a), on **March 15, 2022 at 12:00 p.m.** by telephone. The parties should contact the Court using the Court's conference line, (877) 873-8017 (Access Code: 5277586).

Upon receipt of this order, plaintiff, who is proceeding pro se, and counsel for defendants are directed to confer with each other to be sure that all parties, or their attorneys, have received a copy of this Order. This conference is being held pursuant to Rule 16 of the Federal Rules of Civil Procedure. The parties should also be aware of the requirement to make certain disclosures to the other side as set forth in Rule 26(a)(1) of the Federal Rules of Civil Procedure.

At the conference, the parties must be prepared to set the following dates:

1. the date by which all discovery must be completed;
2. the date by which pretrial motions, if any, will be filed; and
3. the date by which the parties will submit a joint pretrial order in accordance with procedures of the Hon. John P. Cronan, the judge before whom the trial will be conducted.

4. Counsel for defendants should also be prepared to address whether they will be representing defendants Thomas, Hughes, Sauer, and Mital, as the answer was not filed on their behalf.

When contemplating the proposed discovery schedule, the parties are to do so in light of the December 1, 2015 amendment to Fed. R. Civ. P. 26(b), which requires that the scope of discovery be “proportional to the needs of the case, considering the importance of the issues at stake in the action, the amount in controversy, the parties’ relative access to relevant information, the parties’ resources, the importance of the discovery in resolving the issues, and whether the burden or expense of the proposed discovery outweighs its likely benefit.”

The parties must also come to the conference prepared to discuss the possibility of settlement. Defendants should have available by telephone someone with settlement authority in the event that negotiations take place at the conference.

If a party wants to change the date of this conference, he or she must make the request by letter to the undersigned within one week of this notice (unless an emergency requires otherwise). Prior to sending the request for a change in date, the party making the request must contact my Deputy Clerk, David Tam, [David\\_Tam@nysd.uscourts.gov](mailto:David_Tam@nysd.uscourts.gov), to determine an alternative date for which the Court is available for a rescheduled conference. The party must then write a letter to the Court that includes (1) a statement as to all other parties’ positions on the proposed change in date and (2) a proposal for an alternative date for the conference (as provided by the Deputy Clerk) for which all parties are available.

Copies of all letters to the Court must be sent to the other side.

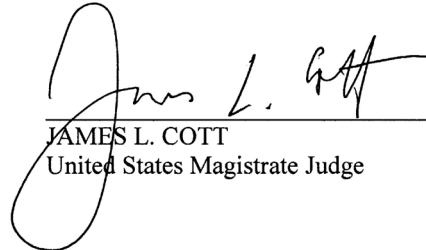
For the parties’ information, the Court’s Individual Rules are posted at:

<http://www.nysd.uscourts.gov/judge/Cott>.

Finally, Plaintiff is advised that the Pro Se Intake Unit at the United States Courthouse, 40 Foley Square, Room 105, New York, New York ((212) 805-0175) may be of assistance in connection with court procedures. Additionally, Plaintiff is advised that the New York Legal Assistance Group Legal Clinic (reachable at (212) 659-6190 or <https://nylag.org/pro-se-clinic/>) provides free legal assistance to self-represented civil litigants. Plaintiff should also refer to the Discovery Guide (the “Guide”) available at <https://www.nysd.uscourts.gov/sites/default/files/2018-06/discoveryguide.pdf> that provides a basic overview of discovery procedures and the initial conference. The Court advises Plaintiff to read the Guide in advance of conferring with the other party or parties and in advance of the initial conference. The Guide is provided only for informational purposes, and it does not override or replace any orders of the Court or rules that apply to this case.

**SO ORDERED.**

Dated: March 1, 2022  
New York, New York



JAMES L. COTT  
United States Magistrate Judge